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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,882	11/20/2003	Dennis Flood	10773.00	9405
26889	7590	07/25/2005	EXAMINER	
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			LEE, DIANE I	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/717,882	Applicant(s) FLOOD ET AL.	
	Examiner D. I. Lee	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 3/31/04 (Preliminary Amdt.).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of the Preliminary Amendment filed 31 March 2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(a) as being anticipated by Nonnier [WO 2002/075668 A1, cited by the Applicant].

Re claims 1 and 6: Monnier discloses a self-service machine 26 comprising:

a secure enclosure 32, 34 (see the abstract and figure 2),

a plurality of locks 40, 42, 58 for securing the secure enclosure 32, 34 (see the abstract);

and

a controller 54 for controlling machine functionality and additionally the locks 40, 42, 58 via a bus line 62 (see figure 2).

Re claim 2: a secure communications link (the bus line 62) interconnecting the lock 40, 42, 58 and the controller 54 (see figure 2).

Re claim 5: wherein the controller includes means 30 for sending information relating to the lock to a central processor (see figure 2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 3-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nonnier in view of Koza [YS 4,652,998]. The teachings of Nonnier have been discussed above.

Monnier does not explicitly teach an electronic solenoid lock, a detector for detecting tampering with the secure enclosure and sending signal to the controller when tampering is detected, and wherein the secure communication link includes a decryptor and decryptor in the secure enclosure to process the encrypted and decrypting commend.

Koza teaches a secure remote terminal 20 comprising a cash box lock solenoid lock, a controller 70, detectors 64, 163 for detecting tampering with the secure remote terminal 20 and an alarm 66 controlled by the controller 70 (see col. 6, lines 38+, col. 10, lines 28+; and col. 19, lines 19+). Wherein all communication between the controller 70 and the external terminal are sent in encrypted form, which obviously teaches that the secure communication link having a decryptor and decryptor in the secure enclosure to process the encrypted and decrypting commend. Furthermore, external terminal capable of controlling the condition of the cash box including lock or unlock status of the cash box, which obviously teaches the controller

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encrypting a control command and sending the encrypted command and decrypting the control command and passing the decrypted command to the lock.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate Koza's teaching in the self-service machine of Monnier in order to provide a tamper resistant terminal which detects unauthorized attempts of access to the terminal and further incorporating encryption scheme of processing all communication in order to secure the data transmitted and received from the external terminal. Such modification would have further increase the security of the terminal.

7. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monnier. The teachings of Monnier have been discussed above.

Re claims 13-19: Monnier teaches that the secure enclosure 32, 34 of the self-service machine 26 are cash dispensers (see the abstract), which is an equivalent to the recited feature, i.e., a safe for storing money to be dispensed.

Monnier does not explicitly point out that the self-service machine 26 is an ATM (an automated teller machine).

However, utilizing the self-service machine 26 as an ATM would have been an obvious intended use of the claimed invention, and there is no structural difference between the claimed invention and the prior art. Since, the prior art structure is capable of performing the intended use, it obviously meets the claim. See *In re Casey*, 370 F.2d 576, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 312 F.2d 937, 939, 136 USPQ 458, 459 (CCPA 1963). Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to utilize the self-service machine 26 of Monnier in an ATM environment for dispensing cash that provide a security of handling the currency.

Re claim 20: Monnier does not explicitly state the program storage medium embodying one or more programs of instruction readable and executable by a computer. However, Monnier clearly teaches that the self-service machine 26 having a secure enclosure 32, 34, a plurality of locks 40, 42, 58 for securing the secure enclosure 32, 34, and a controller 54 for controlling machine functionality and additionally the locks 40, 42, 58 via a bus line 62 (see figure 2). It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to recognize that the self-service machine 26 obviously includes a stored logic that executes to function in order to control the aforementioned functions.

8. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monnier in view of Latchimian et al. [US 5,183,142]. The teachings of Monnier have been discussed above.

Monnier does not disclose a spoiler mechanism actuatable in response to a control signal from the controller for causing damage to the contents of the secure enclosure by spraying fluid over the contents of the secure enclosure when tampering with the lock is detected.

Latchimian discloses an automated teller machine having a secure enclosure (a currency magazine with the lid locking system), wherein the lid locking system includes a transverse lock bar 164 within base 160 whose position controls the opening and closing of the magazine cover 166. The base further includes an appropriate drive for the lock bar, the drive being coupled to an appropriate microprocessor interface which signals the status of the magazine cover and also issues signals to seal the box in the event of tampering with the magazine or safe unit. With the lid locked, a spoiler mechanism (a dye-spray unit 162), such that any attempt to open the magazine cover, remove the base or sensor, or otherwise defeat

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the magazine, will release the dye, marking the enclosed bills. Therefore, any changes thereto when the magazine is in the locked position will activate the dye unit (see col. 6, lines 26+; col. 7, lines 46+; col. 8, lines 54+; col. 11, lines 48+; and figure 9).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the spoiler mechanism that causes damage to the contents of the secure enclosure by spraying fluid over the contents of the secure enclosure, as taught by Latchimian, in the system of Monnier, in order to mark and ruin the content enclosed within the secure enclosure when the tampering to the secure enclosure is detected. Furthermore, such modification would have increased the security of the content within the secure enclosure once unauthorized personnel access the secure enclosure.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stephens et al. [US 6,323,782], Monnier [US 6,661,333], Hamilton et al. [US 5,488,358] discloses a self-service machine or an ATM with a controller that controls the lock.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. I. Lee whose telephone number is (571) 272-2399. The examiner can normally be reached on Monday through Thursday from 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D. I. Lee
Primary Examiner
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